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12 Illinois, Hartford Insurance Company of the  
13 Southeast, Hartford Underwriters Insurance  
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14 Midwest, Hartford Casualty Insurance  
Company, Hartford Fire Insurance Company,  
15 and Hartford Accident & Indemnity Company

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18 UNITED STATES DISTRICT COURT  
19 DISTRICT OF NEVADA

20 MA & ASSOCIATES, LLC, a Nevada limited  
21 liability company,

22 Plaintiff,

23 v.

24 SENTINEL INSURANCE COMPANY, LTD.,  
a Connecticut corporation; HARTFORD  
25 INSURANCE COMPANY OF ILLINOIS, an  
Illinois corporation; HARTFORD  
26 INSURANCE COMPANY OF THE  
SOUTHEAST, a Connecticut corporation;  
27 HARTFORD UNDERWRITERS  
INSURANCE COMPANY, a Connecticut  
28 corporation; HARTFORD INSURANCE  
COMPANY OF THE MIDWEST, an Indiana

Case No.: 2:21-cv-01949-APG-BNW

**STIPULATION FOR CLAWBACK  
ORDER; (PROPOSED) CLAWBACK  
ORDER PURSUANT TO F.R.E. 502**

corporation; HARTFORD CASUALTY INSURANCE COMPANY, an Indiana corporation; HARTFORD FIRE INSURANCE COMPANY, a Connecticut corporation; HARTFORD ACCIDENT & INDEMNITY COMPANY, a Connecticut corporation; DOE INDIVIDUALS 1 through 50, inclusive; and ROE BUSINESS ENTITIES I through X, inclusive,

Defendants.

Plaintiff MA & Associates, LLC and defendants Sentinel Insurance Company, Ltd., Hartford Insurance Company of Illinois, Hartford Insurance Company of the Southeast, Hartford Underwriters Insurance Company, Hartford Insurance Company of the Midwest, Hartford Casualty Insurance Company, Hartford Fire Insurance Company, and Hartford Accident & Indemnity Company stipulate and request pursuant to Federal Rule of Evidence 502 that the Court enter the proposed order appearing below. This request is made to protect against inadvertent waiver of applicable privileges as authorized by Rule 502, and in particular, subsection (d) of that rule.

DATED: January 3, 2022

BULLIVANT HOUSER BAILEY PC

By /s/ Andrew B. Downs

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Attorneys for Defendants Sentinel Insurance Company, Ltd., Hartford Insurance Company of Illinois, Hartford Insurance Company of the Southeast, Hartford Underwriters Insurance Company, Hartford Insurance Company of the Midwest, Hartford Casualty Insurance Company, Hartford Fire Insurance Company, and Hartford Accident & Indemnity Company

1 DATED: January 3, 2022

2 BENDAVID LAW

3  
4 By /s/ Stephanie J. Smith\* (\*ABD e-mail auth.)

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12 Attorneys for Plaintiff MA & Associates, LLC

13 **CLAWBACK ORDER PURSUANT TO F.R.E. 502**

14 Federal Rule of Evidence 502(d) authorizes the Court to enter an order providing that  
15 any applicable privilege or protection is not waived by inadvertent disclosure connected with the  
16 litigation pending before the court. The parties having stipulated, and good cause appearing,

17 IT IS HEREBY ORDERED, pursuant to Federal Rule of Evidence 502, that

18 1. The inadvertent disclosure, in oral, electronic or written form, of any information  
19 which would otherwise be protected by Federal Rule of Evidence 501, Federal Rule of Evidence  
20 502, or Chapter 49 of the Nevada Revised Statutes, including but not limited to NRS 49.095,  
21 shall not operate as a waiver of the applicable privilege or the work-product protection.

22 2. Pursuant to Federal Rule of Evidence 502(d), any disclosure protected by this  
23 Order also is not a waiver of the applicable privileges or work-product protection in any other  
24 Federal or State proceeding.


25 3. Should counsel for any party receive a document which he or she reasonably  
26 believes contains material protected by a privilege under Federal Rule of Evidence 501, Federal  
27 Rule of Evidence 502, or Chapter 49 of the Nevada Revised Statutes, including but not limited  
28 to NRS 49.095, counsel shall immediately notify counsel for the holder of the privilege and  
shall return or confirm in writing that they will destroy any and all copies of the document upon  
request, without waiving the receiving party's right to seek an order from the Court that the  
document(s) in question are discoverable. Notwithstanding the foregoing, if the receiving party

1 believes it has reasonable grounds to seek an order that the document(s) in question are  
2 discoverable, it may retain one copy solely for purposes, and for the duration, of the effort to  
3 seek such an order.

4 4. Should counsel for any party discover that it has produced a document(s)  
5 protected by privilege that she or he reasonably believes has been inadvertently produced, he or  
6 she shall immediately notify counsel for all other parties and request return of the document(s)  
7 or its destruction or deletion.

8 IT IS SO ORDERED.

9 DATED: 1/4/2022

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13 United States Magistrate Judge

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